

AMENDED IN SENATE APRIL 19, 2005

SENATE BILL

No. 237

Introduced by Senator Migden

February 15, 2005

An act to add Section 798.19.5 to the Civil Code, relating to mobilehomes.

LEGISLATIVE COUNSEL'S DIGEST

SB 237, as amended, Migden. Mobilehome parks: transfers of mobilehomes.

The Mobilehome Residency Law regulates the terms and conditions of tenancies in mobilehome parks and prohibits a mobilehome park rental agreement from containing a provision by which the homeowner waives the rights provided by it. The Mobilehome Residency Law provides certain parties specified rights in connection with the transfer of mobilehomes in the park and grants to park management the right of prior approval of a purchaser of a mobilehome to remain in the park.

This bill would prohibit a mobilehome park rental agreement entered into *or renewed* on and after January 1, 2006, from including any other provision that grants to management the right of first refusal to purchase a homeowner's mobilehome that is in the park and offered for sale to a third party, as specified. *The bill would also specify that it does not preclude a separate agreement for separate consideration granting the park owner or management a right of first refusal to purchase a homeowner's mobilehome that is in the park and offered for sale.*

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 798.19.5 is added to the Civil Code, to
2 read:
3 798.19.5. A rental agreement entered into *or renewed* on and
4 after January 1, 2006, shall not include a clause, rule, regulation,
5 or any other provision that grants to management the right of first
6 refusal to purchase a homeowner's mobilehome that is in the
7 park and offered for sale to a third party pursuant to Article 7
8 (commencing with Section 798.70). *This section does not*
9 *preclude a separate agreement for separate consideration*
10 *granting the park owner or management a right of first refusal to*
11 *purchase the homeowner's mobilehome that is in the park and*
12 *offered for sale.*